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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	Case No.: 2:14-cr-00265-JCM-VCF
)	
Plaintiff,)	<u>STIPULATION TO CONTINUE</u>
)	<u>SENTENCING</u> (Sixth Request)
vs.)	
)	
RYAN PATRICK MOSKOWITZ,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the United States of America, and Michael R. Pandullo, Esq. counsel for the Defendant RYAN PATRICK MOSKOWITZ, that the sentencing currently scheduled for June 13, 2016, be vacated and be continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Assistant United States Attorney Elham Roohani will be in trial before the Honorable Kent Dawson in *United States v. Don White*, 2:15-cr-144-KJD-PAL on the date currently set for sentencing.
2. The additional time requested herein is not sought for purposes of delay, but

merely to allow counsel for the Government and Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing

3. The defendant is in custody, but does not object to the continuance.
4. The parties agree to the continuance.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. This is the sixth requested continuance of sentencing from the parties.

DATED this 8th day of June, 2016.

DANIEL G. BOGDEN,
United States Attorney

MICHAEL R. PANDULLO, ESQ.

By: /s/ Elham Roohani
ELHAM ROOHANI
Assistant United States Attorney

By: /s/ Michael R. Pandullo
MICHAEL R. PANDULLO, ESQ.
Counsel for Ryan Patrick Moskowitz

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RYAN PATRICK MOSKOWITZ,

Defendant.

Case No.: 2:14-cr-00265-JCM-VCF

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Assistant United States Attorney Elham Roohani will be in trial before the Honorable Kent Dawson in *United States v. Don White*, 2:15-cr-144-KJD-PAL on the date currently set for sentencing.
2. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Government and Defendant sufficient time within which to effectively and thoroughly prepare for the sentencing hearing
3. The defendant is in custody, but does not object to the continuance.
4. The parties agree to the continuance.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B), 3161(h)(7)(B)(iv), and 3161(h)(1)(D).

ORDER

IT IS FURTHER ORDERED that the sentencing currently scheduled on June 13, 2016 at 10:30 a.m., be vacated and continued to **August 15, 2016 at 10:00 a.m.**

DATED June 9, 2016.


UNITED STATES DISTRICT JUDGE